IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO. 8819 OF 2004

Central Bank of India ..... Petitioners.

versus

Mohit S. Harchandrai & ors..... Respondents.

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Shri Thakkar with R.L.Shethia for the petitioner.
Smt. Ranjana Parikh for the respondent.

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CORAM ; R.M.S. KHANDEPARKAR, J.

DATED; 20TH DECEMBER, 2004.

P.C.;

1. Heard. Rule. By consent rule returnable forthwith.

2. By consent of the learned advocates for the parties the impugned orders passed by the truial court as well as by the revisional court are set aside and the matter is remaneded back to the trial court to pass order afresh after hearing the parties on the basis of whatever evidence that has been already led by the parties, in accordance with the provisions of law and taking into consideration all the contentions which may be raised by the parties. It is made clear that this court has not expressed any opinion on the issues and the grounds sought to be raised in the matter and all

the issues are kept open and the trial court to deal with the same in accordance with the provisions of law. The trial court is expected to dispose of the matter as expeditiously as possible and in any case within a period of four months from the date of receipt of the writ of this court.

3. Rule is made absolute accordingly with no order as to costs.

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